

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 11-0337 MMC

Plaintiff,

**ORDER DENYING MOTION FOR
RECONSIDERATION; GRANTING
REQUEST TO CONSTRUE AS NOTICE
OF APPEAL; DIRECTIONS TO CLERK**

v.

WILLIAM MONTE DAVIS,

Defendant.

The Court is in receipt of defendant William Monte Davis's ("Davis") pro se "Motion for Reconsideration; Altering or Amending Judgement," filed March 9, 2015, in which Davis argues the Court should reconsider its February 13, 2015 Order Denying Motion for Sentence Reduction (see Doc. No. 83), for the purpose of allowing defendant to "oppose and traverse" (see Doc. No. 84) the United States Probation Office's February 10, 2015 Sentence Reduction Investigation Report (see Doc. No. 82).

Having read and considered the instant motion, the Court finds the relevant facts are not in dispute and Davis's argument based thereon fails to take into consideration the applicable law on which the Court relied in issuing its order.

Accordingly, Davis having failed to identify any cognizable basis for reconsideration of the Court's February 13, 2015 order, the motion is hereby DENIED.

Lastly, the Court, pursuant to Davis's request, construes the instant motion as a notice of appeal; the Clerk of Court is hereby DIRECTED to re-docket the motion as a notice of appeal.

IT IS SO ORDERED.

Dated: March 18, 2015


MAXINE M. CHESNEY
United States District Judge